UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 05-3538

FILED

Apr 25, 2008 LEONARD GREEN, Clerk

MARVALLOUS KEENE,

Petitioner - Appellant,

v.

BETTY MITCHELL, Warden,

Respondent - Appellee.

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Before: MERRITT, SILER, and SUTTON, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court for the Southern District of Ohio at Cincinnati.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's denial of petitioner Marvallous Keene's habeas petition is AFFIRMED.

ENTERED BY ORDER OF THE COURT

feller Heran

Leonard Green Clerk